

BEFORE THE ARIZONA STATE BOARD OF

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OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

JUN 26 1996

ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

In the Matter of:

CONRAD ROBERT PEARL, D.O.
Holder of License No. 0904
For the practice of
Osteopathic Medicine in the
State of Arizona

STIPULATION FOR
FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND CONSENT ORDER

STIPULATION

By mutual agreement and understanding, the Arizona State Board of Osteopathic Examiners in Medicine and Surgery ("Board") and Conrad Robert Pearl, D.O. (hereinafter "Respondent"), the parties hereto agree to the following disposition of this matter.

1. Respondent acknowledges that he had read this Stipulation and the attached Findings of Fact, Conclusions of Law and Consent Order ("Stipulated Consent Order"); and, Respondent is aware of and understands the content of these documents.

2. Respondent understands that by entering into this Stipulation, he voluntarily relinquishes any rights to a hearing on the matters alleged as ground for Board action or to seek judicial review of the consent order in state or federal court.

3. Respondent understands that this Stipulation and Order will not become effective unless approved by this Board and signed by its Executive Director.


4. Respondent further understands that this Stipulated Consent Order, once approved and signed, shall constitute a public records which may be disseminated as a formal action of the Board.

5. Respondent admits to the facts and consents to all the terms contained in the Stipulated Consent Order.

6. Respondent acknowledges and agrees that upon signing and returning this document to the Board, he may not later revoke or amend this Stipulated Consent Order, without Board approval.

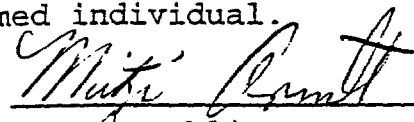
IT IS HEREBY STIPULATED AND AGREED that any violation of said Board Order constitutes unprofessional conduct as defined in A.R.S. 32-1855.

REVIEWED AND ACCEPTED this 21st day of June, 1996.


Conrad Robert Pearl, D.O.

State of Michigan)
) ss
County of)

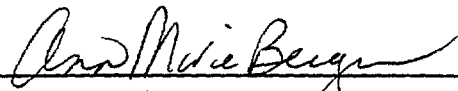
This instrument was acknowledged before me this 21st day of June, 1996, by the above-named individual.


Notary Public

My Commission Expires:



REVIEWED AND SIGNED this 1st day of July, 1996, for
the Board by:



Ann Marie Berger
Executive Director

BEFORE THE ARIZONA STATE BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

In the Matter of:)	
)	
CONRAD ROBERT PEARL, D.O.)	FINDINGS OF FACT,
Holder of License No. 0904)	CONCLUSIONS OF LAW AND
For the practice of)	CONSENT ORDER
Osteopathic Medicine in the)	
State of Arizona)	
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FINDINGS OF FACTS

1. The Arizona Board of Osteopathic Examiners in Medicine and Surgery (hereinafter "Board") is the duly constituted authority for the regulation and control of the practice of osteopathic medicine in the State of Arizona.

2. Conrad Robert Pearl, D.O., is the holder of License No. 0904 for the practice of medicine in the State of Arizona.

3. Conrad Robert Pearl, D.O. was the holder of License No. 20A3851 issued by the Osteopathic Medical Board of California in 1975.

4. On August 15, 1995, Conrad Robert Pearl, D.O. entered into an Order with the Osteopathic Medical Board of California which revoked his license. On September 6, 1995, the Board accepted the Stipulation to revocation of licensure for Dr. Pearl.

This was based upon the following events which were brought before the Board for its consideration:

- A. Respondent is a duly licensed physician in the State of California with the Osteopathic Board of California License No. 20A3851, whose last known address is located at 27676 Cherry Hill Road, Garden City, MI 48135.
- B. Effective December 7, 1993, in a case entitled "In the Matter of Conrad R. Pearl, D.O." before the Board of Osteopathic Medicine and Surgery for the State of Michigan, respondent Conrad R. Pearl entered into Consent Order and Stipulation in which he did not contest the allegations in an Administrative Complaint filed by the Michigan Board on June 11, 1993. The Consent Order placed the license of Conrad R. Pearl, D.O., to practice osteopathic medicine in the State of Michigan on one year's probation with supervision and limited his practice of osteopathy as follows:
 - 1. Respondent's drug control license was revoked for a minimum period of three years during which time respondent shall be unable to dispense any controlled substances from his office.
 - 2. Respondent's controlled substances license was suspended for a minimum period of six months and one day, during which time respondent shall be unable to prescribe any controlled substances.
- B. The allegations which Respondent agreed not to contest in the Administrative Complaint pertained to Respondent's practice of osteopathy between January 1991 and August 1992, when Respondent purchased 1,144,012 dosage units of diet drugs. Respondent prescribed and dispensed diet drugs or controlled substances to patients and failed to perform physical examinations or EKG testing of those patients; failed to document patient histories or to follow up findings of diagnoses; failed to properly log dispensing controlled substances; and failed to maintain a proper inventory or prescription records of controlled substances dispensed by his office. The Michigan

Administrative Complaint charged Respondent with negligence, incompetence, and violation of, or aiding and abetting in a violation of, the Public Health Code.

- C. On or about August 4, 1994 the Osteopathic Medical Board of California filed an Accusation alleging causes for disciplinary against Respondent based on the Order of the Michigan Board of Osteopathic Examiners and requested that Respondent's license number 2013851 be suspended or revoked.

4. Respondent has not appeared before the Board; but, Respondent has communicated, either personally or through legal counsel, with the Board by correspondence.

CONCLUSIONS OF LAW

1. The Arizona State Board of Osteopathic Examiners has jurisdiction over the person and subject matter presented by this matter, pursuant to A.R.S. 32-1800, et seq.

2. The Board has the authority to enter into a stipulated order for final disposition of this case, pursuant to A.R.S. 41-1061(D), and A.R.S. 32-1855.

3. The Respondent engaged in unprofessional conduct as defined at A.R.S. 32-1854(6), i.e., engaging in the practice of medicine in a manner that harms or may harm a patient or that falls below the community standard; and, A.R.S. 32-1854(18), i.e., the refusal, revocation or suspension of a license another state; and, A.R.S. 32-1854(40), i.e., any conduct or practice that endangers a

patient's or the public's health; ~~and A.R.S. 32-1854(46), i.e.,~~
~~negligence that results in death to a patient.~~ *CRP/*
6-21-74

CONSENT ORDER

Pursuant to the authority vested in the Board by A.R.S. 32-1855 and A.R.S. 41-1061(D), IT IS HEREBY ORDERED THAT:

1. Conrad Robert Pearl, D.O. ("Respondent") shall surrender Board License Number 0904 for the practice of osteopathic medicine and surgery in the State of Arizona within ten (10) days of the effective date of this Order. Respondent shall deliver by mail to the Board's office all documents in his possession or subject to his control that indicate he is a licensee of the Board. Said delivery of the aforementioned documents shall be accomplished by Respondent mailing the documents to the attention of the Board's executive director and to its business office address at 141 E. Palm Lane, Suite 205, Phoenix AZ 85004.

2. The stipulated surrender of licensure in this matter constitutes a form of disciplinary action for unprofessional conduct; and, therefore, in the event that Respondent submits application for a license to the Board at any time in the future, the Board may deny said application pursuant to A.R.S. §32-1822(C) or subsequently amended version of the statute.

3. Failure to comply with the requirements of this Order shall constitute unprofessional conduct as defined in A.R.S. §32-1854(26), as amended, and may be considered as grounds for denial license application in the event that Respondent fails to comply with any of the requirements of this Order.

ISSUED AND EFFECTIVE this 1st day of July, 1996.

ARIZONA BOARD OF OSTEOPATHIC
EXAMINERS IN MEDICINE AND SURGERY

Ann Marie Berger
Ann Marie Berger
Executive Director

A copy served by personal delivery
or by sending U.S. Certified Mail
this 2nd day of July, 1996 to:

Conrad Robert Pearl, D.O.
27676 Cherry Hill Road
Garden City, MI 48135

A copy mailed this 2nd day of
July, 1996 to:

Michael Harrison
Assistant Attorney General
Civil Division
15 S. 15th Avenue, 3rd Floor
Phoenix AZ 85007

BY: Anita Boyd